

# Newark

Cory A. Booker  
Mayor

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**Department of Economic & Housing Development**

**Adam Zipkin**  
Director

920 Broad Street, Room 218  
Newark, New Jersey 07102  
973-733-6575

November 23, 2011

Ms. Lisa Jackson  
Administrator  
US Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20004

c/o Mr. Don West, Environmental Management Support, Inc.

Dear Administrator Jackson:

Enclosed please find an application for a Brownfields Hazardous Substance Cleanup Grant for the City of Newark, NJ, for the Empire Street site. This property has lain vacant since 1991, and the city took ownership via tax foreclosure in 1996. It will be redeveloped for industrial reuse, as it is near the port and major transportation routes.

Pertinent applicant information follows:

- a. Applicant: The City of Newark  
City Hall  
920 Broad Street  
Newark, NJ 07102
- b. Applicant DUNS number: 931515014
- c. Funding Requested:
  - i. Cleanup
  - ii. \$200,000 no waiver requested
  - iii. Contaminant: Hazardous Substance
- d. Location: Newark, NJ
- e. Site Specific Address: Empire Street site  
61-77 Empire Street  
Newark, NJ 07114
- f. Contacts:
  - i. Project Director  
Adam Zipkin, Director  
Department of Economic and Housing Development

Room 218, City Hall  
920 Broad Street  
Newark, NJ 07102  
(973) 733-6575  
zipkina@ci.newark.nj.us

ii. Chief Executive  
Cory A. Booker, Mayor  
Office of the Mayor, City Hall  
920 Broad Street  
Newark, NJ 07102  
(973) 733-6400  
bookerc@ci.newark.nj.us

- g. Date submitted: November 23, 2011
- h. Project Period: October 1, 2012 – September 30, 2015
- i. Population: 277,140 (US Census, 2010)
- j. Special Considerations Checklist: See attached

I am excited about the opportunity this grant will provide to the City of Newark, and look forward to a favorable response.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Zipkin'.

Adam Zipkin  
Deputy Mayor

**CITY OF NEWARK, NEW JERSEY  
APPLICATION TO U.S. ENVIRONMENTAL PROTECTION AGENCY  
FOR A HAZARDOUS SUBSTANCE CLEANUP GRANT**

**EMPIRE STREET SITE  
61-77 EMPIRE STREET, NEWARK, NJ  
November 27, 2011**

**1. Community Need**

**Health, Welfare and Environment:** Newark is located on the Passaic River in northern New Jersey. Through most of the 19<sup>th</sup> century, this city was the most important industrial city in the state. By 1860 Newark was manufacturing 90% of America's patent leather, and by the eve of the Civil War Newark had a larger percentage of its population engaged in manufacturing (73.5%) than any other city in the nation. Newark's industrial development, however, came at a significant cost: Newark was also the nation's unhealthiest city. Industrial, human, and animal waste created a major public health crisis in the city. Industrial pollution of the Passaic River, which was Newark's primary source of water, was a particular problem in the 1880s. Today's Newark is still paying the price for her mighty industrial past in the form of brownfield sites which lie like gaping holes in what should be a vibrant urban fabric. Bringing these sites back to productive use is critical to bringing back prosperity to our City. With unemployment rates nearly twice that of the rest of the State, Newark's residents are in great need of the jobs which could be generated on this land.

The Passaic River, which forms Newark's eastern border, was a significant transportation route connecting the Atlantic Ocean via New York Bay to the Delaware River through a series of canals, attracting numerous industrial facilities. As manufacturing declined, this huge industrial legacy left an estimated 700 acres of brownfield sites in its wake - nearly ten percent of the entire city! These range from small, scattered sites located within residential neighborhoods and commercial areas, including well over 400 former gas stations, to tracts of vacant industrial land ranging from one acre to thirty acres in size located at the port and waterfront areas. These former industrial facilities are now blighting the community and posing potential health risks, including the risk of contaminated runoff reaching the surface water. The Passaic River suffered severe pollution during the 19th and 20th centuries, and although the health of the river has improved due to environmental legislation and the decline of industry along the river, it still suffers from substantial degradation of water quality. Numerous brownfield sites dot the banks of the river, which today is a major remediation dredging project being overseen by EPA and the US Army Core of Engineers.

Residents are negatively impacted by a vicious cycle of vacant land containing contaminants in the soil and groundwater that contribute to community blight and developers who, as a result, are unwilling to invest in these neighborhoods. Residents thus suffer from both health and economic impacts. To compound this issue, because of our excellent location near New York City, and proximate to the Garden State Parkway, the New Jersey Turnpike, the Newark International Airport, and Port Newark, the city is a major transportation hub. As a result, our residents suffer from increased truck traffic, increased air pollution, and degraded infrastructure while living with vacant or underutilized sites. Port related truck traffic winds

through our residential areas at a rate of 4 to 5 trucks per minute, past vacant brownfields, moving goods from the port to far-flung distribution centers outside of our city. The communities where the distribution centers are located are able to capitalize on the economic benefit of the port, while the port's neighbors suffer the environmental consequences. Port trucks are some of the oldest, dirtiest diesel trucks on the road, due to deregulation of the port industry. (*Driving on Fumes: Port Truck Congestion Exposes the High Cost of Doing Business in Newark, Coalition for Healthy Ports, Spring 2009*)

Newark is home to many sensitive populations, including children, the disabled, and minorities. According to the 2005-2009 American Community Survey, Newark includes minority populations almost three times the national average; in the Empire Street census tract over 90% of the population identifies themselves as non-white. According to the New Jersey Department of Health and Senior Services Center for Health Statistics, in 2004, the last date such numbers were available, Newark had the highest number of infant deaths of any city in New Jersey. Newark also is burdened with high disability rates—especially for those over 65—significantly higher than the national, state, and county averages, according to the 2000 Census, the last year for which such data is available.

There is clearly a disproportional impact from environmental problems to Newark residents. Not only do Newark residents suffer from a high density of brownfield sites; they also endure high asthma and lead poisoning rates. According to the University of Medicine and Dentistry in New Jersey (UMDNJ), Newark's school children experience a 25 percent asthma rate, double the state and national rates. The city's residents are hospitalized and experience premature deaths at twice the rate of surrounding suburbs. These data demonstrate a difference in asthma-associated morbidity and mortality between the predominantly poor, minority populations of the inner city of Newark and the middle- and upper-middle-class populations of the suburban parts of the county. The death rate attributable to asthma in Newark is 5.8 per 100,000, compared with 2.8 per 100,000 in the suburban/rural areas of the county. Hospital admissions for the treatment of asthma were 110 per 100,000 persons in Newark, more than twice that of the suburban/rural populations. (*Asthma: A Management Crisis, Leonard Bielory, MD, UMDNJ Continuing Education, 1994*) The Clean Air Task Force in 2005 ranked the Newark metropolitan area as number one nationally with regard to negative health impacts attributed to diesel particulate matter, a major asthma trigger.

Lead poisoning is another environmental health issue which impacts the Newark area disproportionately. According to a State of NJ Department of Health Report, in FY 2005, the county in which Newark is located, Essex County, had the largest number and percentage of children with elevated blood lead results in the state. The rate of elevated blood lead levels in Newark children under the age of six are four times as high as would be expected based on the overall rate for that age group statewide, demonstrating a clear disproportionate impact for Newark children. Lead at concentrations exceeding its state residential soil remediation standard is a common contaminant in the brownfield sites interspersed throughout the City.

Newark also suffers disproportionately from low birthweights. Of the 4,655 Newark resident births in 2004, 11.5% were of low birthweight. This rate is higher than comparable totals for New Jersey of 8.0% and the US at 8.1%. In 2007, Newark had the highest number of infant deaths of any city in New Jersey, at 10.1 deaths per 1,000 live births, with New Jersey lower at 7.4 and the national rates still lower at 5.1, again showing a disproportionate impact on Newark residents. (*City of Newark - Community Health Assessment, February 2007*).

It is likely that a combination of factors contribute to these alarming health statistics. The concentrations of poverty are co-located with concentrations of brownfield sites. Thus the residents with the least access to quality health care, nutrition, and recreational facilities are those that are most exposed to environmental contaminants.

**Financial Need:** The financial needs for individuals and families in the City of Newark greatly exceed national and state averages. According to the 2005-2009 American Community Survey, Newark's unemployment rate is 12.4%; above the state rate of 6.9% and the national rate of 7.2%. The unemployment rate in the Empire Street census tract is a staggering 30.1%. In addition, per capita and median household incomes are a fraction of the national averages, with a median household income in the site census tract of only \$10,307, or a fifth of the nation's median household income.

Many residents have not received a high school level education. Over 33% of city residents, and about 30% of residents in the Empire Street neighborhood have not graduated from high school, compared to the national average of just over 15%. Educational attainment is a clear indicator of earning potential; as such, Newark residents are at a disadvantage in securing jobs which provide living wages. Newark is also plagued with alarming poverty rates, as the poverty rates for individuals and families in Newark are about double the national averages. 45.3% of families in the Empire Street census tract live in poverty, about four and a half times the national average. Over half of the female-headed families with children and no husband present live in poverty.

Economic information for Newark is presented in the table below.

**Economic Information for Newark<sup>1</sup>**

	US	New Jersey	Essex County	Newark	Empire Tract 48.02
Population	301,461,533	8,650,548	771,353	277,070	3,753
Unemployment Rate	7.2%	6.9%	9.5%	12.4%	30.1%
Families Below Poverty	9.9%	6.5%	11.7%	21.1%	45.3%
Families w/Female Householder, No Husband Present Related Children < 18 Below Poverty	37.1%	28.6%	33.9%	42.2%	55.8%
Individuals Below Poverty	13.5%	8.8%	14.5%	24.3%	49.8%

	US	New Jersey	Essex County	Newark	Empire Tract 48.02
Minority Population <sup>2</sup>	25.5%	29.8%	57.3%	73.4%	90.4%
Per Capita Income	\$27,100	\$34,566	\$30,991	\$17,178	\$14,259
Median Household Income	\$51,425	\$68,981	\$54,176	\$35,507	\$10,307
Population Lacking High School Level Education	15.5%	13.2%	18.9%	33.1%	29.7%
Persons Per Square Mile	85	1,166	6,109	12,047	n/a

<sup>1</sup>Data from the 2005-2009 American Community Survey

<sup>2</sup>Data represents respondents identifying themselves as a race other than white.

Newark is not able to finance the remediation of brownfield sites throughout the City without outside assistance. Newark is New Jersey's largest city, and is home to more than 277,000 residents, or about 36% of the population of Essex County - about 24 percent of whom are at or below the poverty level. This poverty occurs in a densely packed, urban framework. While the population density of the country overall is 85 people per square mile, that of New Jersey is almost 14 times more dense, at 1,166 people per square mile, making this state the most densely populated in the nation. Given these numbers, Newark's overall population density is shocking, at 12,047 people per square mile; or about 140 times more dense than the national average. This density coupled with the inordinate rates of sensitive, economically disadvantaged populations results in a higher demand for a wider range of social and economic services per taxable area. Yet given the high degree of poverty, the large service demand is not commensurate with the City's available financial resources. Such a formula for poverty and density equates to scare discretionary municipal funds. Newark has reduced their numbers of municipal employees to the lowest number since 1988 and still faces a budget gap of \$57 million for this year. The State is providing a \$32 million loan to help bridge that gap, but that comes on the heels of a \$60 million cut in state aid in 2010. In this climate, only essential services are funded, leaving scant budget for brownfields projects.

Like many northeastern cities, Newark's economic deterioration in the mid-20<sup>th</sup> Century has been attributed to a variety of factors, including industrial decline, the 1967 race riots, and highway construction which created sprawling patterns of economic activity outside of the City's perimeter. These factors left Newark with more than 700 acres of largely abandoned and underutilized public and private property. These properties are known or suspected to be contaminated from site operations such as industrial operations and manufacturing. The numerous abandoned brownfield sites throughout the city have reduced the City's available tax base. Given the fiscal state of the City and competing needs for basic services from its residents, Newark is unable to address these sources of contamination and blight without outside assistance. Public safety is one such competing need: Newark is continually listed on the annual Morgan-Quitno Press list of America's Most Dangerous Cities. According to the New Jersey Department of Health and Senior Services Center for Health Statistics, in 2004 (the last year for which such data is available), Newark had the highest number of deaths caused by homicide of any community in New Jersey.

As the recipient of a 2007 hazardous substance and petroleum assessment grant, Newark has begun the process of addressing priority sites throughout the city. These funds are entirely expended, and we are in the process of submitting final closeout paperwork. In addition, the City received a revolving loan fund and three cleanup grants in the 2008 competition, and another cleanup grant in the 2009 competition, and additional assessment and cleanup grants in the 2010 competition. The RLF will serve as a funding source for privately owned brownfield redevelopment projects, and site work has begun on all the site specific cleanup sites. However, additional cleanup funds are still vitally needed for the many priority, publicly owned sites where the City acquired the site through tax foreclosure, such as the Empire Street site.

## **2. Project Description and Feasibility of Success**

### ***Project Description:***

The Empire Street Site is a 1.4 acre property west of the airport. The site is located in a district of Newark characterized by industrial uses. It is located on Empire Street west of Frelinghuysen Avenue and north of Victoria Street, between Route 22, Route 78, and Conrail lines. The site was developed in 1931 and has been used by a succession of industrial concerns from that time until 1991. Westinghouse Electric Corporation manufactured electrical meters here from 1924-1957. After this period, the site was owned by Gallo Wine until approximately 1962, and then by Fabricators Supply Company until 1983. From 1983 to 1996 the Site was owned by Soneko M.R., Inc and AMLACK, Inc and utilized for Teflon® industrial operations (i.e., conversion of Teflon® rods and/or scrap to powder form) and as a producer of additives for the printing and paper coating industries which included processing of polymers. The Site has been inactive since AMLACK ceased operations in 1991, and the property was acquired by the City of Newark on October 1, 1996 via foreclosure. A 25,000 square foot dilapidated warehouse building is located on site, along with numerous uncharacterized drums, two ten-foot diameter above ground storage tanks used in the process operations, numerous areas of stained concrete, and several piles of debris and soil.

The City has exercised appropriate care with respect to the contamination at the site by conducting periodic inspections to ensure no illegal operations were being conducted at the site, maintaining fencing around the site to prevent access, and by contracting for Phase 1 and Phase 2 investigations. Birdsall Engineering performed a Phase 1 Environmental Site Assessment on behalf of the city in 2008, and PMK conducted a Phase 2 Environmental Site Assessment in 2009.

In anticipation of developing the site, a request for development proposals was issued, a developer was selected, and negotiations are currently underway to designate the developer. The anticipated redevelopment will consist of demolition of the structurally unsound existing building. The site will be reused as a scrap processing facility that will generate 10-15 new jobs

and leverage between \$2 - \$4 million in private investment. This site is ideally located for such a facility, as it is surrounded by industrial sites and removed from residential areas. Locating the recycling facility within Newark reduces the VMT of trucks transporting waste outside the city, reduces the costs of recycling for the city, promotes the minimization of the waste stream, and allows Newark residents the benefits of the jobs and tax revenues this enterprise generates. The developer is the adjacent land owner who will be expanding his ferrous scrap processing facility to add a non-ferrous scrap-processing operation. This company makes full use of the adjacent rail line, thus keeping trucks out of the neighborhood. Recycling centers are an allowable use within this development area.

#### ***Proposed cleanup plan***

The State of New Jersey no longer has a Voluntary Cleanup Program, but instead relies on a Licensed Site Remediation Professional (LSRP) program. Qualified environmental consultants go through a rigorous application process to become licensed, and all work is subject to audit by the state. The City of Newark undergoes a competitive annual process to prequalify a number of environmental consulting firms with LSRP credentials, in accordance with State and municipal procurement requirements and with Federal procurement requirements. The site will be addressed under the direct supervision of one of these prequalified consultants, in accordance with the State Technical Requirements for Site Remediation, and under the regulatory oversight of EPA. The LSRP has the authority, granted by the State, to issue a Remedial Action Outcome letter which serves as a no further action letter, indicating that the cleanup is complete.

Remediation will consist of the removal of two ASTs to access and remove stained concrete beneath them, removal and disposal of contaminated concrete, disposal of drums, partial demolition of the building to access contaminated soil beneath, and the excavation and disposal of contaminated soil. The developer will place a cap across the entire site as the final stage of remediation. The site will be capped and deed restricted for non-residential reuse. Under new state regulations, when a deed notice is placed on a site for environmental purposes, the city is required to enter into an annual permit and regularly monitor the cap to ensure it is intact.

The continuing environmental remediation of the site will be performed in accordance with the applicable statutes of the State of New Jersey, and the regulations and guidance of the NJDEP and applicable EPA requirements. These include New Jersey's Site Remediation Reform Act, N.J.S.A. 58:10C-1 et seq. ("SRRA"); NJDEP's Administrative Requirements for the Remediation of Contaminated Sites (ARRCS) Rules (N.J.A.C. 7:26C); *Remediation Standards* regulations (N.J.A.C. 7:26D, effective June 2, 2008); and the *Technical Requirements for Site Remediation* ("Tech Rules", N.J.A.C. 7:26E). All field activities will be performed in conformance with the NJDEP *Field Sampling Procedures Manual*. EPA approved QAPP and SAMP documents will be prepared prior to any field work.



The reference cleanup standards will be NJDEP's published numeric values for Non-Residential Direct Contact Soil Remediation Standards (NRDCSRS), the default Impact to Ground Water Soil Screening Levels (IGWSSL) and, where appropriate, site-specific IGW standards.

The effective implementation of the EPA requirements and NJDEP regulations will be managed by a Licensed Site Remediation Professional, to be retained by the City.

**b. Budget for EPA funding, tracking and measuring progress, and leveraging other resources:**

Budget Categories (programmatic costs only)	Project Tasks				Total
	1. Engineering Oversight	2. Programmatic Mgt	3. Remediation	4. Public Engagement	
Personnel					
Fringe Benefits					
Travel					
Equipment					
Supplies					
Contractual	\$40,500	\$18,000	\$141,500	\$0	\$200,000
Other (specify)					
EPA Total:	\$40,500	\$18,000	\$141,500	\$0	\$200,000
Cost Share	\$0	\$0	\$35,000	\$5,000	\$40,000

**Task 1 – Engineering Oversight and Report Preparation:** This task includes funds for engineering oversight of the remediation including the completion of a Remedial Action Report, Deed Notice, and Remedial Action Outcome (RAO) document in compliance with NJDEP requirements. These activities will be conducted by a Licensed Site Remediation Professional (LSRP), competitively retained in accordance with proper procurement regulations. The outputs from this task will be a remedial action report, SAMP, QAPP, deed notice, and RAO.

Item	Unit	Qty.	Unit Cost	Subtotal
Remedial Action Report, SAMP, QAPP	LS	1	\$9,000	\$9,000
Engineering oversight of field remediation work	LS	1	\$25,000	\$25,000
Deed Notice Preparation	LS	1	\$5,500	\$5,000
Execution of Remedial Action Outcome letter	LS	1	\$1,500	\$1,500
Total:				\$40,500

**Task 2 - Programmatic Management**

To ensure the smooth management of the grant, compliance with all reporting and procurement requirements, and timely completion of project tasks, we will engage a professional who has experience in the management of federal grants. This will be done through competitive procurement processes in full compliance with all federal and state

regulations. This consultant will assist in the procurement of the remediation engineering oversight consultant and the remediation contractor; will work with the NJDEP and USEPA to ensure all environmental and grant requirements are being met; and will perform all grant tracking, compliance, and reporting activities. This activity is budgeted at \$6,000 a year for 3 years, or \$18,000. The outputs from this task will be number of updates into ACRES, number of quarterly reports, number of MBE/WBE reports, an approved community relations plan, number of financial reports, and grant close out documentation.

### **Task 3 - Remediation**

Remediation will consist of the removal of two ASTs to access and remove stained concrete beneath them, removal and disposal of contaminated concrete, disposal of drums, partial demolition of the building to access contaminated soil beneath, and the excavation and disposal of contaminated soil, as described below.

- Demolition is required for the aboveground storage tanks (ASTs), secondary containment structures, sumps and other subsurface structures, and associated piping. Two steel ASTs of approximately 10 feet diameter are located inside the building and were used in process operations. These tanks must be drained, removed, and properly disposed to allow access to stained areas of concrete beneath. Significant staining is located within the tanks' secondary containment structures, and these need to be demolished and removed, as well as sumps and associated piping. The structurally unsound building hinders the further remedial actions on underlying soils. Pre-demolition hazardous materials inspection must be conducted, the building must be demolished, and the debris removed to offsite recycling and disposal facilities.
- A large number (approximately 150) drums of various construction type and condition are located throughout the building. The floor areas surrounding these drum storage areas are stained and discolored. These drums must be characterized, overpacked, and disposed. Previous investigators that these drums may combined into 20 waste streams for the purposes of classification.
- Disposal of soils contaminated with Base Neutrals, metals, and PAHs, including waste classification analyses and excavation, loading, and offsite disposal. Preliminary estimates presume that approximately 300 cubic yards of contaminated soil will be excavated from the site and disposed offsite.

Item	Unit	Qty.	Unit Cost	Subtotal
<b>Demolition of Structures</b>				
AST clean-outs/removal	LS	1	\$6,000	\$6,000
Secondary Containment Structures, sumps and other subsurface structures, and associated piping	LS	1	\$13,000	\$13,000
Partial building demolition	LS	1	\$25,100	\$25,100
<b>Disposal of Drums</b>	EACH	150	\$700	\$105,000
<b>Soil Excavation and Off-site Disposal</b>				
Waste class	4	samples	\$1,100	\$4,400
Excavate and dispose	300	cy	\$50	\$15,000
Post excavation analyses	16	samples	\$500	\$8,000
<b>Total:</b>				<b>\$176,500</b>

The outputs from this task will be the number of tons of contaminated soils removed and properly disposed; the volume of contaminated material removed and properly disposed; and the number of drums properly disposed.

#### **Task 4 - Public Engagement**

From the match funds, \$5,000 will be dedicated to ensuring that the public is aware of the ongoing remediation and has the opportunity to provide input. It includes implementation of the Community Relations Plan, placing signs at the site describing the action and providing a contact for additional information; the establishment of a public document repository; and the mapping of all nearby sensitive receptors. Outputs from this task are number of calls from the public, number of signs, and a map of nearby sensitive populations.

#### **ii. Plan for Tracking and Measuring Progress:**

Newark will track and document the outputs in the quarterly progress reports and through regular ACRES updates. Outcomes expected to result from this project are: a reduction in threats to human health and the environment through the elimination of contamination at the former Empire Street site, acres of new industrial space developed; number of temporary remediation and construction jobs generated; number of permanent jobs generated; and taxes generated. Newark and the redevelopment arm of the city, Brick City Development Corporation (BCDC), work closely to ensure that this information is collected from the developer and reported back to the city to enable us to enter it into the ACRES database.

**iii. Leveraging of additional resources:** Brick City Development Corporation is in the final stages of negotiating a developers agreement with the intended developer of the site. Grant funds awarded at this site will leverage between \$2 to \$4 million. In the event that this developer agreement does not come to fruition, BCDC has pledged the match funds for the grant. See attachment 5 for documentation of leveraged funding.

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**c. Programmatic Capability and Past Performance**

**i. Programmatic capability:**

Under the current administration, the City of Newark now has a re-energized brownfields program. Facilitated by the City's Sustainability Office in collaboration with Brick City Development Corporation; senior members of the Departments of Engineering, Planning, Housing, and Economic Development work together to ensure a cohesive process toward identifying, prioritizing, assessing, cleaning, and redeveloping the City's brownfield sites. The Newark Environmental Commission, formed in 2009, has become a forum for public discussion about sites of priority to the community. The brownfield program is headed by Adam Zipkin, the Deputy Mayor and the Director of the Economic & Housing Development Department, and directed by staff in the Sustainability Office (focusing on human health and green re-use) and at Brick City Development Corporation (focusing on re-development viability). Adam oversees legislation, guides priorities, and manages staff involved in program implementation for a wide variety of economic development activities, including Sustainability and Planning. He chairs the board of Brick City Development Corporation, the City's nonprofit economic development catalyst. Adam is actively involved with moving large development projects forward and with ensuring that development projects take place in ways that benefit city residents. Stephanie Greenwood and Joel Sonkin co-direct the Newark Sustainability Office. Stephanie is responsible for oversight and management of the City's \$2.83 million Energy Efficiency and Conservation Block Grant, as well as developing and implementing city-wide sustainability initiatives, with a particular focus on air quality, waste diversion, sustainable neighborhood development, and green job and business opportunity. Joel Sonkin is responsible for incorporating sustainability into the City's municipal operations and practices, with a particular focus on energy use in municipal facilities, green infrastructure, and climate change adaptation. Mahima Giri and Robert Thomas serve as project managers within the Sustainability Office, and in that capacity both have managed paperwork associated with federal and state grants. Sustainability Office staff coordinates the City's site remediation work under Adam's direction in partnership with professional consultants and staff at Brick City Development Corporation. This collaborative approach ensures that there is a broad base of support and knowledge of the brownfield program across agencies, thus protecting the program from a loss of institutional knowledge due to any unanticipated turnover in staff. Newark engages in an annual competitive process to pre-qualify a number of qualified full service environmental engineering firms, providing a strong base of expertise upon which to rely on for all brownfield work in the city. In compliance with competitive procurement standards in 40 CFR Part 31.36, Newark will engage qualified consultants for purposes of grant management and tracking, and remediation. This will be

done with close coordination and oversight by the Department of Economic and Housing Development. This qualified team will ensure that the grant requirements are followed, the site is properly addressed, and the work is done on schedule and within budget.

## **ii. Adverse Audits**

Under a previous administration, Newark was required to comply with high risk terms and conditions, and has had adverse findings identified in audits. However, Mayor Booker has worked hard to correct this, and has ensured that controls have been established to properly manage grants. The city is happy to report that the most recent audits have shown no adverse findings.

## **iii. Past Performance**

1. The City of Newark received EPA Brownfields Hazardous Substance and Petroleum Assessment Grants in FY 2008; three ARRA Cleanup grants and a RLF in FY 2009; an additional cleanup grant in FY 2010, and three cleanup grants and two assessment grants in 2011. As the funds from the five most recent grants just became available last month, no results can yet be reported. However, we have had great success with prior year grants. The FY 2010 cleanup grant is entirely encumbered, with work underway, and \$27,585 drawn down (\$172,415 remaining). For the three cleanup grants awarded in FY 2009, all the funds have been expended for 1037 Bergen Street and we are in the process of closing out the grant (\$0 remaining); all the funds have been encumbered for IMS, with \$87,678 drawn down (\$111,584 remaining); and despite a delay due to the death of the designated developer, work at NSC Plating is now underway, with \$88,416 encumbered, and \$24,416 drawn down (\$112,322 remaining). The city has expended all the funds from the 2008 Assessment grants, and we are in the process of completing the closeout documents. Seven sites have been addressed through these grants, all with development plans ready to move forward. In addition, site planning for developing city-wide brownfield sites for urban agriculture was conducted, and a comprehensive petroleum inventory linked to GIS has been completed that identified over 400 former gas station sites. The city is up to date on all required reporting submittals, including quarterly reports, MBE-WBE Forms, financial reports, ARRA reports, and ACRES updates.

2. Newark has received prior EPA grants and thus this section is not applicable.

### **3. Community Engagement and Partnerships:**

**a. Affected community Involvement Plan:** Newark has a number of very active community groups that stay on top of redevelopment and environmental issues. The draft ABCA plan for this site was made available to the public and continues to be available for public comment. Signs will be posted at the site in English and Spanish notifying people of the remediation project and providing a contact for additional information. In addition, project updates will be provided at neighborhood and stakeholder meetings convened through the City's Sustainability Action Plan process and through the community engagement element of the Master Plan.

Information about remedial actions will be distributed to residents and businesses in the neighborhood of the site.

In addition, Mayor Booker established the *Newark Today* magazine which is distributed free to residents by mail and distributed to outlets throughout the City. The Mayor also has a radio show the first Thursday of the month on WBGO radio. These outlets, as well as an updated web site, and a publicly accessible schedule are used to keep Newark residents informed about important initiatives and to receive input on programs and projects. We also have a very active Environmental Commission whose monthly meetings are open to the public and regularly draw in interested citizens. These forums have been put to use to ensure that residents are kept informed of brownfields projects, including the remediation at the Empire Street site. While the information will be site specific, engaging the community in this project will also serve to address City priorities of public environmental education.

The City of Newark is committed to making information on remediation programs available to the community both as a matter of principle and to ensure compliance with new public notification requirements put into effect by New Jersey. In New Jersey, all sites are required to identify any sensitive populations around the site (such as daycare centers, schools, or playgrounds), to provide notification regarding the cleanup to all sensitive populations, and all owners and tenants within 200 feet of the site through letters or by posting a sign at the site. In addition, a designated contact person will be available to answer any questions citizens may have regarding activities and progress at the site. In this way, public engagement is ensured.

**b. Partnerships with governmental organizations:** The City of Newark has a close relationship with NJDEP, both through the former voluntary cleanup program and through implementation of the State grant. New Jersey is transitioning away from their Voluntary Cleanup Program to a Licensed Site Professional (LSRP) Program. This site will be moved out of the VCP into the LSRP. We will continue to work closely with DEP to ensure a smooth transition, as well as work with EPA Region 2 to maintain the appropriate amount of governmental oversight during the remediation process, to guarantee that the remediation is occurring in a manner which is most beneficial to Newark and which is sustainable and protective of human health and the environment. In addition, Newark will coordinate with the Public Health Officer and local public health officials to provide communication, education and outreach to the surrounding residents regarding the overall risk issues, the selected cleanup remedy, and the reuse of the site.

The International Youth Organization / New Jersey Youth Corps of Newark Essex County (IYO) received an EPA Job training grant in 2009. They are partnering with NJIT and Rutgers University to provide local residents with OSHA 40 hour training, brownfields remediation job skills, and other related areas of expertise. The City supports this program and will encourage all contractors hired as part of the remedial effort on the Empire Street site to hire from this pool of qualified candidates.

**c. Partnerships with community-based organizations:** The City of Newark has established strong partnerships with many community-based organizations. The following will play a key role in the successful development and implementation of the Empire Street Grant:

- **Brick City Redevelopment Corporation (BCDC):** BCDC is a non-profit organization and the City's primary economic development catalyst organized to retain, attract, and grow businesses; enhance small and minority business capacity; and spur real estate development. BCDC initiates and executes economic development activities to produce and sustain economic growth, generate jobs, and create wealth for Newark residents. BCDC is in the process of negotiating the developer's agreement for the Empire Street site to ensure its successful redevelopment.
- **Trust for Public Land (TPL):** TPL conserves land for people to enjoy as parks, gardens, and other natural places, ensuring livable communities for generations to come. The organization is extremely active in Newark as part of its Parks for People program and takes an active role in identifying and revitalizing urban spaces for neighborhoods. As such, TPL will help the City with outreach for brownfield cleanup projects to keep residents aware of the progress of cleanup and redevelopment activities.
- **Ironbound Community Corporation (ICC):** ICC is a multi-service, community-based organization rooted in the ethnically diverse Newark Ironbound neighborhood. ICC services more than 600 people daily with programs that include early childhood care and education, school-age programs, family services, adult education, immigration services, senior citizen services, environmental justice, community information, and neighborhood planning. ICC will help the City with outreach for the Empire Street site to keep residents aware of the progress of cleanup and redevelopment activities.
- **Greater Newark Conservancy (GNC):** GNC promotes environmental stewardship to improve the quality of life in New Jersey's urban communities. Founded in 1987, the Conservancy has four program areas—environmental education, community greening and gardening, job training and advocacy for environmental justice. They will provide outreach regarding the Empire Street site centered around cleanup and redevelopment activities.
- **Lincoln Park Coast Cultural District, Inc. (LPCCD):** LPCCD is a nonprofit organization with a mission to plan, design and develop a comprehensive cultural and arts district in Lincoln Park, a low income neighborhood in Newark. LPCCD will use its extensive network and communication avenues to assist the City in its outreach efforts.
- **Prodigal Sons & Daughters (PSD):** PSD is a nonprofit, community-based organization that assists socially disadvantaged persons such as ex-offenders in acquiring the resources to redirect their lives and become contributing parties in the future of their communities. PSD is committing to support the city in education and outreach and help educate residents on the progress of cleanup and redevelopment activities.

Support letters for community-based organizations are included in Attachment 4. These letters describe the overall mission of each organization as well as the specific role the organization will play in helping to carry out EPA-funded activities.

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4. Project Benefits

**a. Welfare and/or Public Health:** The cleanup project at the former Empire Street site will have a direct and immediate positive impact on public health. Removing or containing contaminants in this densely populated City (about 140 times more people per square mile than the US overall, according to the 2005-2009 American Community Survey) will immediately decrease the threat of exposure for a large number of people. The removal of source contamination from impacted soil will eliminate the ongoing impact to groundwater, as well as remove threats of contaminated runoff in this area and reduce the potential exposure to contaminants contributing to low birthweight and lead poisoning. The development of the site to retain and generate permanent jobs will further improve the health and quality of life in a City beset with high unemployment rates. Further, locating a recycling facility in this industrial area with excellent rail access will help to reduce the number of trucks moving through residential neighborhoods to surrounding areas, and encourage the minimization of the waste stream. This reduction in truck traffic will result in a decrease of the particulate matter that triggers asthma, a health concern of epidemic proportions in our city.

**b. Economic Benefits and/or Greenspace:** The former Empire Street site is currently owned by the City and generates no tax revenues. After remediation, the site will be redeveloped into private ownership as a Class A recycling facility, contributing a projected \$30,000 in new annual tax revenues, generating up to 20 new living wage jobs for area residents, and leveraging \$2-\$4 million in private investment.

**c. Sustainable reuse:** Any development in Newark, is by definition, smart growth. In fact, Newark is a State designated Smart Growth area. Such development takes advantage of existing transportation infrastructure and networks as well as existing population densities and workforce locations. Development will comply with the City's strict stormwater mitigation ordinance, one of the most stringent in the State, through employing best practices of low impact green design. Through the new construction review process, the city will assist with green building design and facilitate developer access to state and other energy efficiency resources – including NJ Smart Start building program, which provides energy efficiency technical design assistance, and incentives from e<sup>2</sup> appliances.



**ATTACHMENT 1  
THRESHOLD CRITERIA**

## **Threshold Criteria**

### **1. Applicant Eligibility**

The grant applicant is the City of Newark, New Jersey ("City"). The City is an eligible grant applicant as it is a general purpose unit of a "Local Government" as defined under 40 CFR Part 31. The site was acquired by the City via tax lien foreclosure on October 2001. The type of ownership is fee simple.

### **2. Letter from State Environmental Authority**

A current letter from the New Jersey Department of Environmental Protection (NJDEP), the State of New Jersey environmental authority, was requested and obtained. This letter acknowledges and supports the proposal for Federal funds to be used by the City to conduct cleanup activities. A copy of this letter is provided as Attachment 2.

### **3. Site Eligibility and Property Ownership Eligibility**

#### **a. Basic site information:**

Name of the site:	Empire Street site
Site address:	61-77 Empire Street, Newark, NJ 07114
Current owner:	City of Newark

**b. Status and history of contamination at the site:** The Empire Street property is located contaminated with hazardous substances. The site was reportedly developed in 1931 and has been used by a succession of industrial concerns from that time until 1991. The Site was occupied by Westinghouse Electric Corporation's Meter Division from 1924-1957. During this time period the Site was used for manufacturing electrical meters. During 1988 to 1996 the Site was owned by Soneko M.R., Inc and AMLACK, Inc and utilized for Teflon© industrial operations (i.e., conversion of Teflon© rods and/or scrap to powder form). The Site has been inactive since AMLACK ceased operations in 1991, and the property was acquired by the City of Newark on October 1, 1996 via Tax Lien Foreclosure. The site is contaminated with metals and BN and site-wide historic fill consisting of lead and PAHs above the non-residential reuse criteria. Two ASTs and numerous drums are located on the site. Contamination is from site operations and material brought onto the site to raise the grade. The site is currently unused.

**c. Eligibility for funding:** The site is not currently, nor has it ever been listed or proposed for listing on the National Priorities List; subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; or subject to the jurisdiction, custody or control of the United States government.

**d. Property-specific determination:** No property-specific determination is required for this site.

**e. Required environmental assessments:** Birdsall Engineering performed a Phase 1 Environmental Site Assessment on behalf of the city in 2008, and PMK conducted a Phase 2 Environmental Site Assessment in 2009.

**f. CERCLA §107 liability:** The City is not potentially liable for contamination at the site under CERCLA §107 as a current owner or operator at the time of disposal of a hazardous substance, a party that arranged for the treatment or disposal of hazardous substances, or a party that accepted hazardous substances for transport to disposal or treatment facilities at the site. The site has remained vacant since acquired by the City via foreclosure in 2001. No additional contamination has occurred during the period of City ownership.

**g. Enforcement actions:** The City is not aware of any ongoing or anticipated environmental enforcement actions related to the Empire Street site.

**h. Information on liability and the defenses/protection:**

- i. The site was acquired via tax foreclosure on October 1, 1996 from AMLACK, Inc. The type of ownership is fee simple. The City has no known familial, contractual, corporate, or financial relationships or affiliations with any prior owner or operator of the site, or any potentially responsible parties.
- ii. No disposal of hazardous substances at the site occurred subsequent to acquisition by the City. The City has not caused or contributed to any release of hazardous substances at the site, or arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.
- iii. Birdsall Engineering performed a Phase 1 Environmental Site Assessment on behalf of the city in 2008, and PMK conducted a Phase 2 Environmental Site Assessment in 2009.

Both investigations were done on behalf of the City of Newark. All investigation work was conducted in accordance with the NJDEP Technical Requirements for Site Remediation. Both Birdsall and PMK are qualified, professional environmental engineering firms selected to perform the work based on their relevant experience and credentials. As the property was acquired involuntarily, the AAI requirements of due diligence and an updated environmental report is not applicable.

- iv. The site was upon the city taking ownership, and has remained vacant during the entire period of city ownership. The city has no relationship to any prior users of the site.
- v. The City has exercised appropriate care with respect to the contamination at the site by conducting periodic inspections to ensure no illegal operations were being conducted at the site, by maintaining fencing at the site, and by contracting for Phase 1 and Phase 2 investigations. The City confirms its commitment to comply with all land-use restrictions and institutional controls; assist and cooperate with those performing the cleanup and provide access to the property; comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and provide all legally required notices.

- i. **Petroleum sites:** Not applicable.

**4. Cleanup Authority and Oversight Structure:**

**a.** The State of New Jersey no longer has a Voluntary Cleanup Program, but instead relies on a Licensed Site Remediation Professional (LSRP) program. Qualified environmental consultants go through a rigorous application process to become licensed, and all work is subject to audit by the state. The City of Newark undergoes a competitive annual process to prequalify a number of environmental consulting firms with LSRP credentials, in accordance with State and municipal

procurement requirements and with Federal procurement requirements. The site will be addressed under the direct supervision of one of these prequalified consultants, and in accordance with the State Technical Requirements for Site Remediation. The LSRP has the authority, granted by the State, to issue a Remedial Action Outcome letter which serves as a no further action letter, indicating that the cleanup is complete.

b. The site is bordered to the northwest by Conrail lines, to the northeast by Route 78, to the southeast by Empire Street, and to the southwest by a privately owned industrial property. In the event that it is necessary to gain access to the privately owned neighboring site, the City and its development partner, Brick City Development Corporation, will negotiate such access with the neighboring owner.

**5. Cost Share:** An existing cost estimate for the remediation at the Site indicates that the remediation is anticipated to cost approximately \$240,000. Negotiations with a developer are currently underway, and it is anticipated that the \$40,000 match will be provided by the developer. In the event that this does not occur as anticipated, the Brick City Development Corporation has committed to provide the match funds. The City is not requesting a hardship waiver.

**6. Community Notification:** The City of Newark held a public meeting on November 18, 2011 to discuss the grant application and provide a forum for public comment. An announcement for the meeting including a description of the application was published in English, Spanish and Portuguese in the *Star-Ledger* on November 14, 2011. See Attachment 3 for Community Notification documentation including a copy of the published notification. No members of the public attended this meeting, thus no comments were received, and no sign up sheet is included.

**ATTACHMENT 2  
LETTER FROM STATE ENVIRONMENTAL AUTHORITY**



## State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
SITE REMEDIATION PROGRAM  
OFFICE OF BROWNFIELD REUSE  
MAIL CODE 401-06A  
P.O. Box 420  
TRENTON, NEW JERSEY 08625-0420  
[HTTP://WWW.STATE.NJ.US/DEP/SRP](http://www.state.nj.us/dep/srp)

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

BOB MARTIN  
Commissioner

November 14, 2011

The Honorable Lisa P. Jackson, Administrator  
US Environmental Protection Agency  
401 M Street SW  
Washington, DC 20460

Dear Administrator Jackson:

RE: City of Newark USEPA Brownfield Cleanup Grant Application  
Empire Street Site

On behalf of the New Jersey Department of Environmental Protection, it is my pleasure to endorse the City of Newark application to the United States Environmental Protection Agency (USEPA) for a Brownfields Cleanup Grant to remediate environmental impacts associated with discharges of hazardous substances at the Empire Street site found at 61-77 Empire Street. The New Jersey Department of Environmental Protection acknowledges that the City of Newark plans to conduct remediation activities at the Empire Street site.

The City of Newark has developed an aggressive redevelopment strategy to identify, assess and reuse abandoned brownfield sites. The site identified in the grant application represents a priority brownfield redevelopment opportunity for the City of Newark.

Please accept this letter of support for the City of Newark Cleanup Grant application. Please do not hesitate to contact me if I may be of further assistance. I may be telephoned at (609) 292-1251, or, e-mailed at [Timothy.Bartle@dep.state.nj.us](mailto:Timothy.Bartle@dep.state.nj.us).

Sincerely,

Timothy T. Bartle, Chief  
Office of Brownfield Reuse

C: Adam Zipkin, Commerce & Economic Development, City of Newark  
Daniel Jennings, Brick City Development Corp.  
Robert Marasco, City Clerk, City of Newark  
Sandy Newhall, Brownfield Redevelopment Solutions, Inc.  
Stephen Kehayes, Office of Brownfield Reuse

**ATTACHMENT 3  
COMMUNITY NOTIFICATION DOCUMENTATION**

Public Notice  
US EPA Grant Applications  
The City of Newark is ap-  
plying for three separate  
US Environmental Protec-  
tion Agency (EPA)  
Brownfields Cleanup Grants  
and one site-specific As-  
sessment Grant. A commu-  
nity meeting is being held  
to discuss the grant pro-  
posals and to solicit pub-  
lic comments on the pro-  
posals and the proposed  
use of funds. The meeting  
will be held on Friday,  
November 18th from 4:00-  
5:00pm at the offices of  
the Brick City Development  
Corporation at 744 Broad  
Street, Suite 1110, New-  
ark, NJ 07102. Copies of  
the grant proposals, in-  
cluding the draft Rela-  
tions Plans and Analysis  
of Brownfield Cleanup Al-  
ternatives documents, will  
be available for review  
and comment in this office  
during normal business  
hours. For more informa-  
tion about the grant pro-  
posals or the meeting,  
contact Leah Yasenchak of  
Brownfield Redevelopment  
Solutions at (732) 292-  
2624.

La ciudad de Newark está  
aplicando por tres  
separadas Agencia de  
Protección Ambiental de  
EE.UU. (EPA) Subvenciones  
Brownfields de Limpieza y  
un sitio específico de  
subvención de evaluación.  
Una reunión se lleva a cabo  
para discutir las  
propuestas de subvención y  
para solicitar comentarios  
del público sobre las  
propuestas de los fondos.  
La reunión se celebrará el  
viernes, 18 de noviembre  
de 4:00-5:00 pm en las  
oficinas de la Corporación  
de Desarrollo de la Ciudad  
de ladrillo en 744 Broad  
Street, Suite 1110, New-  
ark, NJ 07102. Copias de  
las propuestas de  
subvención, de planes de  
proyecto de la EPA  
requieren Comunitarias y  
Relaciones Alternativas  
de Limpieza Brownfield  
documentos, estarán  
disponibles para su  
revisión y comentarios en  
esta oficina durante el  
horario normal. Para más  
información sobre las  
propuestas de concesión o

e) cumplimiento de los,  
póngase en contacto con  
Leah Yasenchak de  
Soluciones  
Reurbanización al (732) 292-  
2624.  
A cidade de Newark está se  
candidatando a três  
Ambiental dos EUA, separado  
Protection Agency (EPA)  
Grants Brownfields Cleanup  
e um site-specific Grant  
avaliação. A esta sendo  
realizada para discutir as  
propostas de concessão e  
solicitar comentários do  
público sobre as propostas.  
A reunião será realizada  
na sexta-feira, novembro  
18 de 04:00-17:00 na sede  
do desenvolvimento Brick City  
em 744 Broad Street, Suite  
1110, Newark, NJ 07102.  
Cópias das propostas de  
concessão, incluindo o  
projeto de Relações EPA-  
required e Análise de  
Planos e documentos  
Alternativas Brownfield, estará  
disponível para revisão e  
comentários neste  
escritório durante o  
horário comercial normal.  
Para mais informações  
sobre as propostas de  
subvencão ou da reunião,  
entre em contato Leah  
Yasenchak de Soluções de  
áreas degradadas em  
(732) 292-  
2624. \$142.68 11/14/11

STATE OF NEW JERSEY } SS  
COUNTY OF ESSEX

DANIEL MORALES

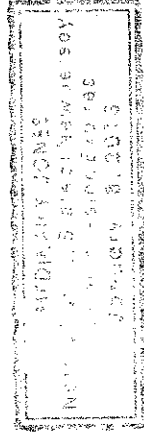
Being duly sworn, according to law, on his/her oath sayeth that  
he/she is CLERK of the

Star-Ledger, in said County of Essex, and that the notice, of  
which the attached is a copy, was published in said paper  
on the 14th day of November

and continued therein for \_\_\_\_\_  
successively, at least once in each \_\_\_\_\_  
for one day \_\_\_\_\_

Sworn to and subscribed  
before me this 18th  
day of November, 20 11

Richard J. Jones  
NOTARY PUBLIC of NEW JERSEY





**ATTACHMENT 4  
SUPPORT LETTERS**



744 Broad Street, Suite 1110  
Newark, NJ 07102

O: 973.273.1040

F: 973.273.1070

[www.bcdcnewark.org](http://www.bcdcnewark.org)

November 21, 2011

Administrator Lisa Jackson  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**RE: 2012 Brownfield Cleanup Grant, City of Newark**  
**275-297 Emmet Street**  
**2052-2070 McCarter Highway**  
**61-77 Empire Street**  
**2012 Brownfield Site Specific Assessment Grant, City of Newark**  
**952 Bergen Street**

Dear Administrator Jackson:

Brick City Development Corporation (BCDC) was organized to retain, attract and grow businesses, enhance small and minority business capacity, and spur real estate development within the city of Newark, New Jersey. BCDC initiates and executes economic development activities to produce and sustain economic growth, generate jobs and create wealth for the citizens of Newark. Our major functions include: Business Attraction and Retention, Real Estate and Small Business Development.

We work with companies interested in expanding or relocating in Newark and guide them every step of the way. We introduce business enterprises to the City, its market and its assets. We assist companies with their location decisions including analysis of demographics, economic indicators, workforce information, available buildings and sites and other information relevant to business location decisions. BCDC helps both developers and businesses tap into Newark's vast development opportunities by assisting with a wide range of services, including site selection, permitting and approvals and gap financing.

Through the investigation and cleanup of integral properties in Newark, such as the properties located at 275-297 Emmet Street, 2052-2070 McCarter Highway, 61-77 Empire Street, and 952 Bergen Street our industrial corridors and neighborhoods can continue to be utilized by Newark companies looking to expand, as well as attract new industries. BCDC understands the value of cleaning up brownfield sites so that these underutilized, blighted properties can be revitalized to productive uses. I am therefore writing on to express our support of the City of Newark's U.S. EPA Brownfield Assessment application and Brownfield Cleanup applications. We are working with the city to identify appropriate developers for these sites. Once a developer has been designated, we will work with them to ensure a successful startup, from evaluating business plans and pro formas, to assisting in financing.

Letter To Administrator Lisa Jackson

November 21, 2011

Page 2

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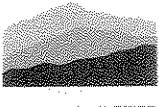
I hope you will continue your support of Newark's brownfields efforts through the funding of these key projects.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Lyneir Richardson', with a long horizontal flourish extending to the right.

Lyneir Richardson  
Chief Executive Officer

THE  
TRUST  
for  
PUBLIC  
LAND



Newark Office  
One Washington St  
Suite 1401H  
Newark, NJ  
07102  
T (973) 718-7338  
F (973) 954-2678  
www.tpl.org

November 17, 2011

Mr. Adam Zipkin  
Deputy Mayor  
Director, Department of Economic & Housing Development  
920 Broad Street, Room 421  
Newark, NJ 07102

Dear Deputy Mayor Zipkin,

The Trust for Public Land (TPL) applauds the work that the City of Newark has undertaken in the field of brownfields in recent years. Creating opportunities for underutilized, blighted properties to be revitalized and reused is of great value and importance to our city and region. TPL is proud to support the U.S. EPA Brownfield Grant Applications submitted by the City of Newark.

The work accomplished because of these grants is in line with the mission of TPL. We work to conserve land for people to enjoy as parks, gardens, and other natural places, ensuring livable communities for generations to come. TPL helps communities take action on parks and land conservation by providing objective advice based on extensive experience, the latest technology and analytical frameworks, and has a proven approach to realizing parks and conservation goals. TPL's primary services include: Conservation Vision and Funding, Conservation Research and Development and Park Design and Development. TPL is extremely active in the Newark area and takes a participatory role in identifying and conserving vital urban spaces for neighborhoods.

By evaluating the current state of properties in Newark, information becomes a tool for designating areas for redevelopment – identifying areas to provide infill housing, new economic activity, new parks, and the location for new jobs while enhancing the livability of existing neighborhoods. TPL has worked with the City of Newark to develop brownfields into parks. By undertaking these projects together, we've been able to bring new recreational facilities to neighborhoods that have been underserved by parks and open space. We will continue to work with the city to bring new park and recreational facilities to Newark's residents.

Sincerely,

Scott Dvorak  
Program Director, Parks for People-Newark  
The Trust for Public Land  
One Washington Street, Suite 1401-H  
Newark, NJ 07102

November 16, 2011

To whom it may concern,

The Ironbound Community Corporation (ICC) is a multi-service, community based organization rooted in and representative of the diverse Newark neighborhood called Ironbound. Founded in 1969 by residents, ICC's mission is to engage and empower individuals, families, and groups to realize their aspirations and, together, work to create a just, vibrant, and sustainable community.

The Ironbound is multi-ethnic, largely working-class neighborhood in Newark, New Jersey. It is the most densely-populated neighborhood in Newark with slightly more than 50,000 residents. Historically it has been a mosaic of peoples from countries around the world who arrive in the community with aspirations for a better life for themselves and their children. Covering four square miles, Newark's "East Ward" was named the Ironbound because of the many forges and foundries and the railroads that surrounded the neighborhood in the 19th century. Today local factories, warehouses and industrial lots continue to operate alongside one-, two- and three-family homes and public housing complexes. Many private homes have multiple families in small apartments. Subprime lending rates in the Ironbound are among the highest in the state with foreclosures threatening working class families struggling to keep up with rising costs. One out of every four residents lives in poverty.

This neighborhood suffers from environmental degradation. Residential neighborhoods sit side by side with old industrial areas where many factories and industrial sites are closed or abandoned. The community boundaries are defined by the railroad tracks, the airport, the river and the highway. Whether pollutants come from the air, the river, or the ground, residents suffer. The elevated levels of air pollution result in a high rate of asthma among children and adults. Local schools report that respiratory problems are the main reasons for absenteeism on a daily basis and the local hospital identified respiratory ailments as the number one reason for emergency visits.

Due to the challenges present in our community, investigation, cleanup and redevelopment of brownfield properties is an important issue to us. The sites that the City of Newark is applying for Cleanup and Site Assessment funds, 275-297 Emmet Street, 2078, 2090 McCarter Highway, 952 Bergen Street, 61-77 Empire Street, are located just outside the boundaries of the Ironbound, and in the case of the Emmet Street site, within our neighborhood borders. Remediation of these sites will provide important reductions in the amount of cumulative pollution our residents are subjected to, and redevelopment will provide desperately needed jobs. Newark is a strong and vibrant city, and its residents deserve every opportunity to thrive in a cleaner, safer, and more valued world.

The ICC understands the value of cleaning up brownfield sites so that these underutilized, blighted properties can be revitalized to productive uses. I am therefore writing on to express our support of the City of Newark's U.S. EPA Brownfield Assessment and Cleanup applications. We are an organization whose members have an appreciation for the natural world and improving the quality of life for local residents. As such, we will help the City with outreach for brownfield cleanup projects to keep residents aware of the progress of cleanup and redevelopment activities and to



**Ironbound**  
COMMUNITY CORPORATION

**Administration & Community Organizing**  
179 Van Buren Street  
Newark, NJ 07105  
973.589.3353  
fax 973.589.3637  
[www.ironboundcc.org](http://www.ironboundcc.org)  
[info@ironboundcc.org](mailto:info@ironboundcc.org)

**Children's Center**  
1 New York Avenue  
Newark, NJ 07105  
973.589.6873  
fax 973.589.2479

**Community Center**  
432 Lafayette Street  
Newark, NJ 07105  
973.465.0947  
fax 973.589.4668

**Family Success Center West**  
317 Elm Street  
Newark, NJ 07105  
973.465.0555  
fax 973.465.9505

**Family Success Center East**  
29-31 Cortland Street  
Newark, NJ 07105  
973.344.5949  
fax 973.344.0397

**Early Head Start**  
366 East Kinney Street  
Newark, NJ 07105  
973.466.3053  
fax 973.466.3190

maximize public partnerships and input into the decision making process for end users.  
It is critical that end uses are compatible with community visions, plans and needs.

Given the significant positive impact the Brownfields Cleanup can provide for the Newark community, I appreciate your careful and thoughtful consideration.

Sincerely,

A handwritten signature in cursive script, reading "Joseph Della Fave". The signature is written in dark ink and is positioned above the printed name and title.

Joseph Della Fave  
Executive Director



## Greater Newark Conservancy

November 16, 2011

Administrator Lisa Jackson  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

Dear Administrator Jackson:

Greater Newark Conservancy promotes environmental stewardship to improve the quality of life in New Jersey's urban communities. Founded in 1987, the Conservancy has four program areas--environmental education, community greening and gardening, job training, and advocacy for environmental justice.

Greater Newark Conservancy understands the value of investigating and cleaning up brownfield sites so that these underutilized, blighted properties can be revitalized to productive uses. In addressing historic contamination at the Stacor Site (275-297 Emmett St.), Northern NJ Oil Site (2078, 2090 McCarter Highway), and the Empire Street Site (61-77 Empire Street), the City is ensuring a promising future for our communities and economy; poising them for industrial redevelopment to supply critical jobs in our community. In addition, the Site Specific Assessment of the 952 Bergen Street site will allow for the attraction of future commercial space in this neighborhood where currently the abandoned site is a source of blight. In addition, this work will protect the health and environment of Newark and its residents. In cooperation with the continued efforts in redeveloping brownfields, the Conservancy is working with the City to develop a program to promote a formalized community gardening program, and we will continue to work with the city to redevelop these brownfields into gardens, and will use this forum to increase the education and outreach on brownfields development throughout the city.

I am therefore writing on to express our support of the City of Newark's U.S. EPA Brownfield Cleanup and Assessment grant applications.

Sincerely,

Robin L. Dougherty  
Executive Director



# LincolnPARK

## COAST CULTURAL DISTRICT

---

November 21, 2011

RE: 2012 Brownfield Cleanup Grants, City of Newark  
2012 Brownfield Site Specific Assessment Grant, City of Newark

Dear Environmental Protection Agency,

Lincoln Park Coast Cultural District, Inc. (LPCCD) is a nonprofit organization with a mission to plan, design and develop a comprehensive cultural and arts district in Lincoln Park, a low income neighborhood, in Newark, New Jersey. LPCCD achieves its mission through arts and cultural programming, sustainable development, historic preservation and community leadership and engagement. Specifically, LPCCD is transforming an 11-acre, four-block area, within the Lincoln Park community into a "green" arts and cultural district. Plans for the arts and cultural district include "green" mixed-income housing units, annual music festivals and historic restoration projects. LPCCD is creating a sustainable community including several US Green Building Council (USGBC), Leadership in Energy and Environmental Design (LEED) certified buildings.

To this end, LPCCD is writing in strong support of the City of Newark's 2012 grant applications, as the use of funding is directly related to its mission. The sites slated for cleanup as well as the site slated for assessment have great potential to raise the economy and livelihood of surrounding communities, when redeveloped. By removing contaminants and creating the space for new business to relocate in these areas, the City of Newark is pledging its support of its residents and its community, city-wide. LPCCD is pledging support of these applications and will assist the City in its outreach efforts.

Given the significant positive impact these funds will have in Newark, I hope you will review them favorably.

Many thanks,

Executive Director





# PRODIGAL SONS & DAUGHTERS

November 23, 2011

Dear US Environmental Protection Agency representative,

I am writing on to express Prodigal Sons & Daughters' support of the City of Newark's U.S. EPA Brownfield Assessment and Cleanup applications. We are an organization whose members have an appreciation for the community, improving the quality of life for local residents, and ensuring a strong and bright future for all.

Prodigal Sons & Daughters is a nonprofit, community-based organization. The foundation on which the Prodigal Sons and Daughters is based is the philosophy of self help. Whether at risk youth or troubled adult, the greater hindrance is the failure of the establishment to commit to (or guarantee) the adequate incentives (such as education, training, treatment and money) to give former offenders (and others) the ability to succeed on their own. We must guarantee incentives that will make us raise our own expectations for our communities. But, even with the right mindset, until you learn to use these tools of positivity, you would be hard pressed to succeed without being exceptionally good. As such, we are supportive of the work that the City of Newark continues to undertake on our community's brownfields. The grant funds being applied for would assist our communities in realizing their potential and creating a strong foundation for future growth and economic enterprise.

Prodigal Sons & Daughters will assist the City in education and outreach to these communities and their residents to keep them educated and aware of the progress of cleanup and redevelopment activities.

Sincerely,

Robert Pearson, President

**ATTACHMENT 5  
FINANCIAL COMMITMENT DOCUMENTATION**



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November 21, 2011

Administrator Lisa Jackson  
U.S. Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460

**RE: 2012 Brownfield Cleanup Grant, City of Newark  
61-77 Empire Street  
Leveraged Funding Commitment**

Dear Administrator Jackson:

The redevelopment of 61-77 Empire Street, Newark, is a priority for the City. As the primary economic development agency in Newark, Brick City Development Corporation (BCDC) is working on behalf of the city to attract a developer to this key site. We are in the final stages of negotiation with a local company interested in expanding their facility and operations to develop this site. They have provided a preliminary budget of approximately \$3 million for property improvements, but this does not include the environmental remediation required at the site prior to redevelopment.

The developer has verbally committed to provide the \$40,000 match to the EPA cleanup grant. We are in the process of signing the developers agreement that will memorialize this commitment. In the unlikely event that this match is not available through the developer, BCDC will commit to providing the \$40,000 match to enable the use of the \$200,000 cleanup grant. Based on cleanup cost estimates provided to date, this amount will be sufficient to fully remediate the site, thus leveraging approximately \$3 million in private development funds.

We are very excited by the opportunity this development provides for the city, and I would be happy to answer any questions you may have regarding the availability of funding and of the financial viability of this project.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lyneir Richardson", is written over a horizontal line.

Lyneir Richardson  
Chief Executive Officer

**ATTACHMENT 6  
SPECIAL CONSIDERATIONS CHECKLIST**

## Special Consideration Checklist

Please identify (with an **X**) if any of the below items apply to your community or your project as described in your proposal. EPA will verify these disclosures prior to selection of the grant.

- ☐ Community population is 10,000 or less
- ☐ Federally recognized Indian tribe
- ☐ United States territory
- ☐ Applicant assisting a Tribe or territory
- ☐ Targeted brownfield sites are impacted by mine-scarred land
- ☐ Targeted brownfield sites are contaminated with controlled substances
- ☐ Community is impacted by recent natural disaster(s)
- ☒ Community demonstrates firm leveraging commitments for facilitating brownfield project completion by identifying amounts and contributors of funding in the proposal and have included documentation
- ☐ Community experiencing plant closures (or other significant economic disruptions), including communities experiencing auto plant closures due to bankruptcy
- ☐ Applicant is a recipient of a HUD/DOT/EPA Partnership for Sustainable Communities grant

**ATTACHMENT 7  
DRAFT ANALYSIS OF BROWNFIELDS CLEANUP ALTERNATIVES (ABCA)**

**DRAFT**  
**ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES**  
**EMPIRE STREET SITE, 61-77 EMPIRE STREET, NEWARK, NJ**  
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1. Site Location Map
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## **1 INTRODUCTION and BACKGROUND**

### **1.1 Introduction**

The City of Newark (the City) is endeavoring to complete the environmental site remediation of a city-owned property known as the Empire Street Site (the site), to prepare the site for redevelopment.

The City has applied to the USEPA for brownfields cleanup grant in the amount of \$200,000 to assist with the environmental remediation of the site. If successful in this application, the City has will enter into a cooperative agreement with the USEPA, which will enumerate the terms and conditions for the City's use of the brownfields cleanup grant funds, including a commitment by the City to provide for community involvement in the site remediation process.

The City has contracted Brownfield Redevelopment Solutions, Inc. (BRS), to prepare this Analysis of Brownfields Cleanup Alternatives (ABCA), in conformance with requirements of the Cooperative Agreement. The purpose of this ABCA is to present to the community the following items.

- Description of the environmental conditions at the site, based on the findings of the environmental site assessment activities performed to date.
- A selection several reasonable brownfields cleanup alternatives to be considered for addressing the contamination identified at the Site.
- An analysis of the various factors influencing the selection of a preferred cleanup method, including site and contamination characteristics (i.e., exposure pathways, identification of contaminant sources, etc.); cleanup standards; potential future uses of the site; and cleanup goals.
- The preferred cleanup method selected, based on the analyses performed, including an evaluation of its effectiveness, implementability, and costs.

These items are discussed in the following sections of this ABCA.

### **1.2 Community Involvement Measures**

The City will continue to promote and facilitate community involvement with this project with the activities itemized below.

- The City will discuss the availability of this ABCA, in its draft format, at an open brownfield stakeholder meeting.



- The City will provide an opportunity for members of the general community and targeted groups to provide written comments to the draft ABCA.
- The City will provide an opportunity for members of the public to provide oral comments regarding the draft ABCA during the brownfield stakeholder meeting.
- The City will prepare written responses to the comments received and document any changes made to the cleanup plans and to the draft ABCA as a result of the comments.
- The City will establish a publicly accessible Administrative Record repository for the project, to be located at Newark City Hall.

A Brownfields Cleanup Decision Memo will be prepared at the end of the public comment process, which will describe the cleanup options selected by the City. The ABCA and the Decision Memo will be included with the Administrative Record.

### **1.3 Site Background**

#### **1.3.1 Site Location and Description**

The Empire Street property (the site) is located at 61-77 Empire Street in Newark, New Jersey, situated on Empire Street, between Route 22 and Route 78. The site is identified on the City Tax Map as Block 3537/ Lot 24. The site consists of approximately of 1.4 acres, and is irregular in shape. A site location map is provided as Figure 1.

The site is improved with an approximately 25,000 square foot, one-story masonry warehouse. An asphalt paved parking area is located at the east corner. Chain link fencing is situated along the northeast, southwest and southeastern property boundaries. The site is currently unused. A site plan is provided as Figure 2.

#### **1.3.2 Site History**

The site was reportedly developed in 1931 and has been used by a succession of industrial concerns from that time until 1991. The Site was occupied by Westinghouse Electric Corporation's Meter Division from 1924-1957. During this time period the Site was used for manufacturing electrical meters. During 1988 to 1996 the Site was owned by Soneko M.R., Inc and AMLACK, Inc and utilized for Teflon® industrial operations (i.e., conversion of Teflon® rods and/or scrap to powder form). The Site has been inactive since AMLACK ceased operations in 1991, and the property was acquired by the City of Newark on October 1, 1996 via Tax Lien Foreclosure.

### 1.3.3 Surrounding Land Use

The site is located in a district of Newark characterized by industrial uses. The site is bordered to the north by Interstate 78 and a vegetated buffer; to the east by industrial properties across Empire Street; to the west by the former Conrail rail lines; and to the south by industrial properties.

### 1.4 Project Goals/ Property Reuse Plan

The objectives of this cleanup project are to complete the selected remedial actions:

- in accordance with the Site Remediation regulations and Cleanup Standards (as described in Section 2) of the New Jersey Department of Environmental Protection (NJDEP), which will provide regulatory oversight of the project; and
- in accordance with the various applicable regulations of the USEPA, and with the terms and conditions of the the City's cooperative agreement with USEPA.

The expected outcomes of the project include a determination of No Further Action from the NJDEP, or a Response Action Outcome (RAO) letter from a Licensed Site Remediation Professional (LSRP), applicable to the entire site.

The City intends to redevelop the site for use a solid waste recycling center.

### 1.5 Results of Environmental Assessment

The City performed a Preliminary Assessment<sup>1</sup> (PA)/Phase 1 Environmental Site Assessment (ESA)<sup>2</sup> and a Limited Site Investigation<sup>3</sup> (Phase 2 ESA) at the site to identify Areas of Potential Environmental Concern (AOCs), and confirm or refute the presence of regulated contaminants, and assess the need for remedial actions (RAs) at each AOC. The AOCs confirmed by the PA/SI, and thus in need of further remedial investigation or remedial actions are described below, and depicted on Figure 3.

AOC No.	Description	RAs Recommended
1	<b>Aboveground storage tanks (ASTs)</b> Two approximately 10 feet diameter steel ASTs utilized in process operations are located inside the building.	<ul style="list-style-type: none"><li>• Remove ASTs</li><li>• Based on results of concrete testing, remove and dispose of contaminated concrete</li></ul>

<sup>1</sup> As defined by NJDEP *Technical Requirements for Site Remediation*

<sup>2</sup> Birdsall Engineering, 2008

<sup>3</sup> PMK, 2009

2	<b>Drum storage areas</b> Several drum storage areas are located in the building. A total of between 100 and 200 drums of various construction type and condition were observed. Surrounding floor areas are stained and discolored.	<ul style="list-style-type: none"> <li>• Characterize, overpack, and dispose of drums</li> <li>• Excavate and dispose of contaminated soil, if any identified upon removal of building slab.</li> </ul>
3	<b>Floor drains, trenches and piping and sumps</b> located within the building, full inspection of condition of these features was not completed due to building conditions	<ul style="list-style-type: none"> <li>• characterize and dispose of any accumulated materials in the trenches and sumps</li> <li>• Excavate and dispose of contaminated soil, if any identified upon removal these features at time of building demolition.</li> </ul>
4	<b>Debris Pile and Historic Fill</b> Soil, rock, gravel and masonry debris is piled in a mound to the southwest of the building, covering approximately 2,000 square feet.	<ul style="list-style-type: none"> <li>• characterize and excavate debris for disposal offsite or onsite</li> <li>• determine extent of historic fill on site</li> </ul>
5	<b>Piles of solid waste</b> Garbage, tires and several drums were observed on the ground surface throughout the property the exterior.	<ul style="list-style-type: none"> <li>• characterize and consolidate solid wastes for offsite disposal</li> </ul>
6	<b>Building Demolition</b> The main building is in deteriorated condition, likely contains hazardous building materials, and hinders the further remedial actions on underlying soils.	<ul style="list-style-type: none"> <li>• complete pre-demolition building hazardous materials inspection</li> <li>• demolish building and dispose of debris and offsite recycling and disposal facilities</li> </ul>

Note that Remedial Action No. 6 – Building Demolition is expected to be funded primarily by the developer with non-USEPA funds.

### 1.5.1 Exposure Pathways

In order for contaminants from a site to pose a human health or environmental risk, one or more completed exposure pathway(s) must link the contaminant to a receptor (human or ecological). A completed exposure pathway consists of four elements:

- A source and mechanism of substance release;
- A transport medium;
- A point of potential human or ecological contact with the substance (“exposure point”); and
- An “exposure route”, such as dermal contact, ingestion, etc.

Preliminary pathway evaluation indicates several potentially completed exposure pathways related to the site:

1. **Direct contact with soil.** Soil might be handled by occasional on-Site construction workers, or by future site occupants or workers.
2. **Soil to groundwater.** Contaminants may leach from the unsaturated zone to groundwater and, in turn, be transported to downstream groundwater receptors.

These exposure pathways will be mitigated immediately by implementation of the proposed cleanup activities, which includes excavation and offsite disposal of contaminated soils.

## 2 APPLICABLE LAWS and CLEANUP STANDARDS

The continuing environmental remediation of the site will be performed in accordance with the applicable statutes of the State of New Jersey, and the regulations and guidance of the NJDEP. These include New Jersey's Site Remediation Reform Act, N.J.S.A. 58:10C-1 et seq. ("SRRA"); NJDEP's Administrative Requirements for the Remediation of Contaminated Sites (ARRCS) Rules (N.J.A.C. 7:26C); *Remediation Standards* regulations (N.J.A.C. 7:26D, effective June 2, 2008); and the *Technical Requirements for Site Remediation* ("Tech Rules", N.J.A.C. 7:26E). All field activities will be performed in conformance with the NJDEP *Field Sampling Procedures Manual*.

The reference cleanup standards will be NJDEP's published numeric values for Non-Residential Direct Contact Soil Remediation Standards (NRDCSRS), the default Impact to Ground Water Soil Screening Levels (IGWSSL) and, where appropriate, site-specific IGW standards. PCB, for instance, will be remediated, to the extent practicable, to the NRDCSRS of 1.0 mg/kg. A site-specific IGW standard for PCB will be developed.

The effective implementation of the NJDEP regulations will be managed by a Licensed Site Remediation Professional, to be retained by the City.

## 3 EVALUATION OF CLEANUP ALTERNATIVES

The EPA grant funds will be used to fund programmatic expenses, remediation of PCB-contaminated soil, site capping, and project reporting. This section identifies the several cleanup alternatives that were considered to address the environmental contamination issues at the site. The effectiveness, implementability, and costs associated with the following potential remedial scenarios are considered herein:

- Option 1) Remediation, as outlined in Section 1.5, by offsite Disposal of contaminated soils, accumulated materials, and regulated building materials; to nonresidential standards
- Option 2) Remediation, as in Option 1, but to residential standards

Option 3) No Action

**3.1 Option 1 - Remediation by Offsite Disposal to Nonresidential Standards**

This option involves remediation by removal of potential ongoing sources of contamination and exposure and, if necessary based on the results of post-excavation soil analyses, capping of the site, or areas thereof, as a barrier to future direct contact with soil contaminants. The cleanup will be performed to nonresidential cleanup standards, to allow for the industrial reuse of the site.

Remediation will include the following primary tasks:

- 1) **Disposal of contaminated soils**, including:
  - Inspection for previously unidentified contaminated soils beneath the building, at the time of building demolition;
  - waste classification analyses; and
  - excavation, loading and offsite disposal.
- 2) **Pre-demolition disposal activities** including inspection for, removal of, and disposal of surficial debris piles; drums; accumulated materials (i.e., oily sludges); regulated building materials (LBP, ACM).
- 3) **Demolition of structures** including:
  - partial demolition of the main building, as needed to investigate, sumps and other subsurface structures, and remove contaminated soil associated with any releases associated with these structures.
  - secondary containment structures; and
  - cleanout and removal of two ASTs.
- 4) **Institutional Controls** including recording of deed notices placing restrictions and conditions on future uses of the property
- 5) **Engineering Controls** including installation of a cap over areas of the property in which contaminated soil remains. The cap may include a combination of permeable and impermeable barriers. This task will be funded by non-EPA sources.
- 6) **Engineering Oversight**, including
  - Reporting and Project Management.
  - Preliminary tasks, including procurement of remediation engineering oversight consultant, remediation contractor, fencing contractor;

- Regulatory Interface; and
- Public Notification and Community Involvement;
- Grant tracking, compliance activities, and reporting.

### **3.1.1 Effectiveness**

The “Remediation by Offsite Disposal” to nonresidential cleanup standards approach would be immediately effective by:

- Removing those regulated materials and contaminated media which present potential exposure hazards to future users of the site and ongoing sources of contamination to environmental media.

### **3.1.2 Implementability**

The “Remediation by Offsite Disposal” approach is expected to be easily and rapidly implementable because it involves relatively simple technology and equipment. This type of remedy is widely used and is expected to be readily acceptable to the NJDEP.

The conclusion regarding implementability is based on certain assumptions, for instance:

- that the vertical or horizontal extent contaminants in soil are not significantly greater than as indicated by the results of investigations conducted to date;
- that there are not significant levels of soil contamination related to breaches of, or releases from, the sumps and other subsurface structures in which oily sludges and other accumulated materials have been observed.

### **3.1.3 Cost**

Preliminary estimates presume that approximately 300 cubic yards of contaminated soil will be excavated from the site and disposed offsite. The cost estimate is based on the assumption that none of that soil will be classified as RCRA hazardous waste or TSCA-regulated PCB remediation wastes.

The cost estimate assumes an estimate of 150 drums on the property to be classified and disposed; previous investigators that these drums may be combined into 20 waste streams for the purposes of classification. We further assume that none of these waste streams will be classified as RCRA hazardous waste or TSCA-regulated PCB remediation wastes.

The budgetary estimate cost for this cleanup alternative is \$240,000.

Should the quantities of contaminated soil actually discovered vary significantly from the estimates, project costs will increase/decrease accordingly. The cost estimate assumes that no remediation of groundwater is needed.

### **3.2 Option 2 - Remediation to Residential Standards**

The property could be remediated to residential or “unrestricted use” cleanup standards, using the same technologies and approaches described under Option 1. Under this scenario, significant additional resources would be required for additional pre-remediation site characterization, and additional removal and disposal of contaminated media.

#### **3.2.1 Effectiveness**

The potential effectiveness of remediation to residential standards will be dependent on the findings of additional site characterization activities, and can't be evaluated until such activities are completed. Key factors will include, for example:

- the presence and extent of historic fill on the site, and the presence of historic fill-related contaminants at concentrations above the cleanup standards;
- the presence of free phase or dissolved petroleum contaminants in groundwater;
- the potential for vapor intrusion of groundwater contaminants into future onsite residential structures.

#### **3.2.2 Implementability**

The potential for remediation to residential standards to be successfully implemented will be dependent on the findings of additional site characterization activities, and can't be evaluated until such activities are completed. If, for instance, significant groundwater contamination and/or vapor intrusion hazards are identified at the site, remediation to residential standards will not be considered implementable within a reasonable timeframe.

#### **3.2.3 Cost**

The cost for remediation to residential standards would include, at a minimum, the cost for remediation to nonresidential standards (Option 1) plus costs for expanded site characterization activities. In addition, it is anticipated that additional costs for removal of a greater volume of contaminated media will be incurred. The total costs for this option can be reliably estimated at this time; preliminary estimates indicate costs at over \$900,000.

### 3.3 Option 3 - No Action

If no environmental cleanup remedy were performed at this site:

- The site may become subject to future enforcement actions by NJDEP or USEPA;
- The site may present risk of exposure by direct contact with soil, to any future site workers, occupants, or members of the community.
- The site would present a continuing potential source of contaminants to onsite and offsite groundwater;
- It is assumed that an expanded Site Investigation would be performed to further delineate the extent of contamination.
- It is assumed that certain engineering controls, such as installation of secure site perimeter fencing, and permanent institutional controls, including activity and use limitations, would be placed on the site to mitigate contaminant exposure risks.

#### 3.3.1 Effectiveness

The “no action” alternative is not effective in that it does not provide for compliance with NJDEP and USEPA regulations, it fails to provide removal of contaminant mass, and it fails to abate potential exposure risks.

#### 3.3.2 Implementability

The “no action” alternative is technically feasible.

#### 3.3.3 Cost

The costs to complete an expanded site investigation are estimated to be \$25,000 to \$50,000. The costs for implementation of engineering and institutional controls are estimated at \$55,000. Total costs to implement this option are estimated \$80,000 to \$100,000.

### 3.4 Preferred Alternative

The preferred alternative is Option 1 - Remediation by Offsite Disposal to Nonresidential Standards. The remedial technologies selected are proven methods, easily and quickly implementable, environmentally effective, and cost-effective. Excavation equipment is readily available. The remedy is compatible with the future industrial land use goals for the site. This remedy can be readily completed within the timeframe of the USEPA Brownfields Grant.



**Figure 1**  
**Site Location Map**

**ATTACHMENT A**  
**Summary of Public Comments and Responses**